DOCKET NO.: RA5256   PATENT
Application No.: 09/747,036
Responsive to PTO Communication Dated: 12/03/03

REMARKS

Applicant has amended all but four of the claims both to remove objection to claim 1

made under section 112, and to further clarify the claims so that they better reflect the outlines of

the meaning of the invention in the context of its actual usage.

The references cited do not appear to be particularly relevant, in light of the amendment.

Although the argument is made moot by the amendment, despite what appear to be facial

congruities between the language of the original claims and the disclosure of the references,

proper interpretation of the language of the claims should have excluded them from being

considered proper references because when properly interpreted they cannot read on the

references. Further, the applicant believes that the references do not address the problem solved

by the instant invention, and being directed to different problems, are improperly combined.

Nevertheless, since with the amendment of the claims the argument becomes moot, the applicant

believes that reference to the argument should be sufficient to prove that the modification is not

being made to ensure patentability over the cited art, in order to preserve the doctrine of

equivalents potential for the claims as amended. Accordingly, the rejection is traversed and

discussion of the amended claims follows.

The applicant appreciated the discovery of the missing antecedent basis for the words

queue bank reference by the examiner. This term appears in the application, but the substitute

term queue bank descriptor is a more clearly defined term for the same concept and is substituted

throughout in the claims. The description of this terms meaning is found on page 12, line 4 et seq

of the specification.

PATENT

In reviewing the application for this term and considering the cited art, it became clear that the claims would better define the invention if the activity required of the Queue Bank Manager that occurs when the client returns a token and gets back his Queue Bank Descriptor were made an explicit part of the claim. The claims have accordingly been so modified.

By describing that the manager provides the queue bank and links the entry that had contained the returned queue bank descriptor into the available chain of entries by putting the address form the header for the next available entry into the now-available-entry and putting the address of the entry being returned as the header's next available entry, at least in the most basic terms, the distinction between the patent claims and the art should become exceedingly clear.

There is provided by this invention an inherent efficiency by requiring a fetch only of the list of addresses (corresponding to the tokens) being managed that avoids repeated calls to memory that looking up an entry in a linked list requires. Such inefficiencies (as the looking up of linked list entries) are inherent in the traversal of trees such as are described in the Hughes reference.

DOCKET NO.: RA5256   **PATENT**
Application No.: 09/747,036
Responsive to PTO Communication Dated: 12/03/03

The claims cover a queue bank repository and its manager and the functions thereof.

These creatures are not found anywhere in the prior art, nor is the system they, together, form.

Accordingly the claims should be allowed.

Applicant respectfully requests allowance of all claims and that this case be promptly

passed to issue.

Respectfully submitted,

Date: 2-3-04

Michael B. Atlass, Attorney for Applicant.
Reg. No. 30,606

Unisys Corporation
Patent and Technology Law Group
E8-114
Unisys Way
Blue Bell, PA 19424
(215) 986-4111 phone
(215) 986-3090 fax